

Serial Number: 10/707,912
Filed: 1/23/2004

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Remarks

Background:

The present novel and nonobvious invention provides a simplified and cost effective connector interface for use with existing standard threaded connectors (spec. para. 30). Before the present invention, push-on connectors for low power applications, in general, applied outer spring fingers, such as those disclosed in *D'Addario* - a Type F connector, of suspect mechanical reliability and high frequency electrical performance (spec. para. 4). The present invention is the first recognition that the bore surface inner diameter of existing threaded connectors such as Type N or SMA may be utilized according to the invention as a connection and retention surface to reinforce both the mechanical and electrical interconnection of a reliable push-on connection interface according to the invention having the benefit of being usable with the existing standardized threaded connector interfaces.

Response:

The Examiner rejected claims 1-5 and 7-16 under 35 U.S.C. 103(a) as unpatentable over *Lewis* in view of *D'Addario*. The Examiner provides *Lewis* but concedes that *Lewis* does not show a plurality of spring fingers biased for an interference fit upon the outer diameter surface, the first spring located on an outer diameter of the sleeve, the first spring located by a first groove formed in the outer diameter of the sleeve and each of the plurality of spring fingers having an angled face and supplies *D'addario* therefore.

In his "Response to Arguments" section, the Examiner correctly notes that the test for combining references is what the combination of disclosures taken as a whole would suggest to one skilled in the art. The Examiner suggests one skilled in the art would modify *Lewis* with the addition of the spring fingers as taught in *D'Addario* to arrive at the claimed invention "in order to reduce the likelihood of intermittent electrical discontinuity". Applicant respectfully submits that *Lewis* does

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not suffer from "intermittent electrical discontinuity" and therefore, the Examiner has invented a basis for combination when there is none reflected by the plain language of the combined references. In fact, *Lewis* expounds in multiple places how the design therein is itself an improvement in electrical characteristics over the prior art (See *Lewis*, abstract, last sentence, col. 1, ln 56-66 and col 3 ln 14-24). Therefore, this is not a reasonable basis for the cited combination and further has nothing to do with the problem facing the inventor at the time of the invention, that is developing a reliable quick connect connection interface usable with existing high power / frequency threaded connectors. The mere fact references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. *In re Mills* 916 F.2d 680 (Fed. Cir. 1990).

Further, the Examiner admits that the cited references fail to include a first spring located on an outer diameter of the connector body sleeve as claimed. As each and every element of the claimed invention fails to be taught, suggested or disclosed in the cited references these rejection(s) are improper. The Examiner cites *In re Japikse* for the premise that "rearranging parts of an invention involves only routine skill in the art" and suggests it would be obvious to place the outer diameter mounted female connector interface mounted spring(s) of *Lewis* onto an inner diameter male connector interface to satisfy the elements of the present invention. Applicant respectfully submits that *In re Japikse* provides no per se obviousness rule, whatsoever, and is narrowly limited to the facts therein where operator buttons had been moved from one area of the machine to another in a way that did not modify the operation of the device, itself. In the present invention, the position of the first spring upon the outer diameter of the connector body sleeve is considerably more than a simple rearrangement in that it solves the problem confronting the inventor at the time of the invention, that is developing a reliable quick connect connection interface usable with existing high power / frequency threaded connectors, which the inventor alone has recognized have a suitable inner diameter contact surface but include no springs whatsoever.

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Applicant respectfully submits that the Examiner has improperly applied the requirements of "rearrangement" which appear in the MPEP at 2144.04 VI (C), taking a quote out of context from *In re Japikse* while ignoring the remainder of the MPEP paragraph in which the citation from *In re Japikse* appears. The Examiner has ignored/failed to provide the required motivation for the "rearrangement" he has suggested. With respect to "rearrangement", the prior art must provide a motivation or reason for the worker in the art, without the benefit of the applicant's specification, to make the necessary changes to the reference device. *Ex parte Chicago Rawhide Mfg. Co.* 223 USPQ 351, 353 (Bd. Pat. App. & Inter. 1984), MPEP 2144.04 VI (C)). The BPAI has repeatedly reversed Examiners relying upon a "simple rearrangement" position based upon a citation of *In Re Japikse*, alone, stating that no such per se rule exists.

Applicant respectfully submits that the Examiner has failed to establish a prima facie case of obviousness. Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention, absent some teaching, suggestion or incentive supporting the combination. *ACS Hospital Systems, Inc. v. Montefiore Hospital* 732 F.2d 1572, 1577 (Fed.Cir. 1984). Absent a showing in the prior art the Examiner has impermissibly used 'hindsight' occasioned by the applicant's teaching to hunt through the prior art for the claimed elements and combined them as claimed. *In re Zurko* 111 F.3d 887 (Fed.Cir.1997). Therefore, rejection of claims 1-5 and 7-16 under 35 U.S.C. 103(a) is improper.

Further with respect to claims 5, 14 and 16 the Examiner has, again, failed to indicate where the claimed second groove and or second spring are disclosed taught or suggested in the cited references. Applicant respectfully submits that these elements fail to appear in the cited references and, again, invites the Examiner to identify their appearance with the required particularity or withdraw this rejection. As each and every element of the claimed invention fails

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to be disclosed, taught or suggested in the cited reference(s), rejection of claim 5, 14 and 16 under 35 U.S.C. 103(a) is improper.

The Examiner rejected claims 6 and 17 under 35 U.S.C. 103(a) as unpatentable over *Lewis* in view of *D'Addario* and further in view of "applicant's admitted prior art". The Examiner admits *Lewis* and *D'Addario* both fail to disclose that the female connector is either a Type N or SMA connector and suggests it would be obvious to modify the interface of *Lewis* and *D'Addario* by using Type N connectors "to make the connector more versatile". Applicant's arguments against the combination of *Lewis* and *D'Addario*, and the fact that even upon "combination" these references fail to disclose each and every element of the claimed invention, described in detail herein above, also apply here.

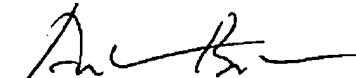
Further, for the Examiner's ready reference and to demonstrate the total incompatibility of the cited references therewith, the standard specification for both the SMA and Type N connector interface(s) are attached. Making the modifications the Examiner suggests destroys the original purpose / intended connector interface compatibility of each of the cited references. Applicant respectfully submits that "making the connector more versatile" is not a reasonable basis for supporting the "combination" proposed by the Examiner and further that such motivation appears nowhere in either of the cited references, as required. In fact, Type N connectors have no reasonable compatibility and/or incentive for combination with the cited references but for the specific teachings of applicant's disclosure, a clear application of improper hindsight by the Examiner.

Having obviated each of the Examiners rejections, applicant respectfully requests that a notice of allowance be issued. Should the Examiner be inclined to issue an Official Action other than the notice of allowance, Applicant respectfully requests that the Examiner first contact Applicant by telephone at the number listed below.

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Respectfully submitted,



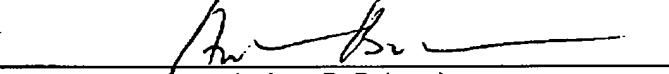
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/Encl: SMA and Type N Standard Interface Specification (4 sheets)

CERTIFICATE OF TRANSMISSION

*I hereby certify that this correspondence is being facsimile transmitted to the
U.S. Patent and Trademark Office (Fax No 571 273-8300) on September 15, 2005.*



Andrew D. Babcock